GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Home Department – Sri R. Surya Naik (Retd), formerly ACP (Traffic), Vijayawada City- ACB case on Disproportionate assets – Implementation of APAT orders dated 05.02.2016 in O.A. No.76/2016 to pay full pension and other retirement benefits with interest without reference to Appeal pending in Hon'ble High Court on acquittal orders of ACB Court – Orders – Issued.

HOME (SC.A) DEPARTMENT

G.O.RT.No. 996 **Dated: 27-12-2017**

Read the following:

Ref:- 1. From the Director General, Anti Corruption Bureau, Hyderabad, Lr.C.No.227/RCA- VK1/1998-S9, dt.20.06.2007.
2. Govt.Memo.No.250/SC.A2/2006-3, dated: 17-07-2007.
3. Representation of Sri R.Surya Naik, formerly ACP (Traffic), Vijayawada city (now retired) dt. 18.02.2016.
4. From the Director General of Police, Andhra Pradesh, Rc.No.334/O2/1999, dt.10.03.2016.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau has informed the Government that the Special Judge for SPE & ACB cases, Vijayawada pronounced judgment on 20.01.2007 in C.C.No.18/2004 acquitting the Accused Officer. Sri R. Surya Naik (Retd.) ACP, Traffic, Vijayawada City, Krishna District in the disproportionate assets case.

2. The Bureau opined that there are grounds to prefer an appeal in the High Court against the acquittal of the A.O. The Director General, Anti Corruption Bureau requested to issue orders permitting the Standing Counsel of the Bureau, High Court of Andhra Pradesh, to file an appeal in the High Court against the said acquittal of the Accused Officer.

3. Accordingly, in the reference 2nd read above, permission has been accorded to Bureau to file an appeal in the Andhra Pradesh High Court against the acquittal of Sri R.Surya Naik, formerly ACP, Traffic, Vijayawada on the allegation of corruption and acquisition of assets disproportionate to his known sources of legal income in CC.No.18/2004. The Bureau has filed criminal appeal before the High Court of Andhra Pradesh on 29.11.2007 which was admitted by the Hon'ble High Court vide Criminal Appeal No.1462 of 2007 and no orders have been passed so far.

4. In the reference 3rd read above, Sri R.Surya Naik, formerly ACP (Traffic), Vijayawada City now retired has submitted representation enclosing a copy of the APAT orders dt. 05.02.2016 in OA.No.76/2016 and requested to pay full pension and other retirement benefits and also to pay interest on belated payments as directed by the Hon'ble APAT. The orders of Hon'ble APAT are as follows:

> "In the circumstances, the Original Application is allowed directing the first respondent/Government of A.P by Prl.Secretary, Home Department to pay full pension amount from the date of applicant's retirement together with gratuity, encashment of E.L, commutation pension (if any), family benefits fund, group insurance amount, if not already paid, together with interest thereon at 8% per annum from 5.4.2007 (date of acquittal) within a period of three months from the date of receipt of copy of this order"

5. In the reference 4th read above, the Director General of Police, Andhra Pradesh, has requested to take further necessary action on the representation of Sri R. Surya Naik, formerly ACP (Traffic), Vijayawada City (now Retd.) .

6. Government after careful examination of the entire matter have decided to implement the orders of Hon'ble APAT in O.A.No.76/2016 dated: 05.02.2016. regarding payment of all dues with interest other than Commutation of Pension. In case the acquittal order is set aside by the High Court,orders regarding the pension due from that date will be passed.

(P.T.O).,

7. The Director General of Police, Andhra Pradesh, Vijayawada, shall take further necessary action in the matter, by releasing all pending retirement benefits with interest except commutation of pension in favour of Sri R. Surya Naik (Retd.) ACP, Traffic, Vijayawada City, Krishna District.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANURADHA RAJARATNAM ARCOT
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, Andhra Pradesh, Mangalagiri.
Sri R. Surya Naik (Retd.) ACP, Traffic, Vijayawada City,
Krishna District thro' the D.G.P, Andhra Pradesh.
The Government Pleader for Home, A.P.A.T
Copy to:
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Andhra Pradesh Vigilance Commission, Secretariat.
SF/SC.

// FORWARDED;; BY ORDER //

SECTION OFFICER (SC)